IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE PIUS C.KURIAKOSE

WEDNESDAY, THE 12TH DECEMBER 2007 / 81ST AGRAHAYANA 1929

WP(C).No. 36743 of 2007(Y)

PETITIONER:

SOMINI, AGED 29 YEARS,
W/O PRASAD, PRASADALAYAM,
VELIYANADU P.O., ALAPPUZHA.

BY ADV. SRI.GRASHIOUS KURIAKOSE

RESPONDENTS:

THE REGISTRAR OF BIRTHS AND DEATHS,
ALAPPUZHA MUNICIPALITY, MUNICIPAL OFFICE,
ALAPPUZHA.

BY G.P. SRI.SHYSON P. MANGUZHA

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 12/12/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

PIUS C. KURIAKOSE, J.

W.P.(C) NO.36743 of 2007

Dated this the 12th day of December , 2007

JUDGMENT

Mother of a child, whose name stood registered in the birth register maintained by the Alappuzha Municipality as 'Adini.S', has filed this writ petition seeking a direction to the respondent – Registrar of Births and Deaths to correct the name of the child as 'Vismaya Prasad'. The respondent has rejected the application by Ext.P4 order stating that as per Ext.P5 circular of the Chief Registrar of Births and Deaths, there is no provision for making corrections in the name of a child, which was entered in the register on the basis of a declaration submitted by the parents of the child.

2. Sri.M.K.Chandramohan Das takes notice on behalf of the respondent.

3. Heard both sides. My attention was drawn by Sri. Grashious Kuriakose, the learned counsel for the petitioner to clause '6' of Ext.P5 and also to the subsequent circular No. BI-2815/2007 dated 7.11.2007 issued by the Chief Registrar of Births and Deaths. A conjoint reading of Ext.P5 and Circular dated 7.11.2007 will show that the respondent is competent to make the corrections sought for. I am inclined to

grant relief, more so, since I find that the request is a bona fide one.

4. The writ petition, therefore, will stand disposed of directing the respondent to reconsider Ext.P4 and to consider the petitioner's application for correction and pass orders on the same bestowing as much sympathy as possible. Fresh order, as directed above, shall be passed within two weeks of receiving a copy of this judgment. In order to enable the respondent to do that, Ext.P4 is quashed.

PIUS C. KURIAKOSE,
JUDGE.

dpk